IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 4413 of 2007

CHHOGA RAM

V/S

CIVIL JUDGE(J.D.), JALORE & ANR.

Mr. JK BHAIYA, for the appellant / petitioner

Date of Order : 27.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties, perused both the impugned orders.

In my view, the orders do not suffer from any error whatever, so as to require interference in my writ jurisdiction. The suit for recovery and possession has been filed on the basis of determination of tenancy in the year 1999. The documents sought to be produced or summoned (in either orders) are the documents relating to the payment said to have been made by the petitioner depositing the amount of rent in the plaintiff's account, which amount has been returned at the plaintiff's request, and has been credited back to the defendant's account. In my view, the learned Court below has rightly found these facts to be not relevant to the controversy. The writ petition is, therefore, dismissed summarily. The learned trial Court is, however, directed to expeditiously decide the suit.

(N P GUPTA),J.